

OGC Has Reviewed

MEMORANDUM FOR: General Counsel

THRU : Director of Training **1W3**

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SUBJECT : Interpretation of par. 4e of [REDACTED]
Hours of Work

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1. Paragraph 4e of [REDACTED], Hours of Work, states Agency policy relative to the compensation of employees engaged in Agency-sponsored training activities, as follows:

"e. Hours spent as a student in Agency-sponsored training activities shall be considered as hours of work in determining whether an employee has worked the official work week of forty hours but may not be considered as hours of work for purposes of overtime pay or compensatory leave. Requests for exception to this policy will be forwarded through channels to the Director of Training for recommendation and concurrence and to the Deputy Director (Administration) for approval."

2. This policy is interpreted by the Office of Training to mean that time spent in Agency-sponsored training activities, whether part-time or full-time, and including such training as is actually conducted by the Agency, while creditable toward the normal work week of forty hours, is creditable neither for overtime compensation nor compensatory leave nor may it be credited within the total hours of work for the purpose of determining overtime worked. This applies whether time in excess of forty hours is spent in the performance of normal duties attaching to the individual's position or in training.

25X1A9a 3. It is the opinion of this Office, supported by the attached copy of a memorandum from [REDACTED] to the Deputy Director (Intelligence), that the interpretation stated in paragraph 2 above does not clearly derive from the language employed in the Regulation, although [REDACTED] of the Office of Training informs us that this meaning was intended at the time when he discussed this subject with your Office. In view of the apparent ambiguity of the current statement, it is believed administratively impractical to apply any uniform interpretation retroactively. However, your opinion is requested as to whether there would be any legal obstacle to revising the Regulation as follows:


25X1A9a "e. Hours spent in Agency-sponsored training activities, whether part-time or full-time, and including such training as is actually conducted by the Agency, while creditable toward the normal work week of forty

hours, is creditable neither for overtime compensation nor compensatory leave nor may it be credited within the total hours of work for the purpose of determining overtime worked. This applies whether time in excess of forty hours is spent in the performance of normal duties attaching to the individual's position or in training."

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Acting Personnel Director

Attachment:

Copy of Memo for DD/I,
dated 6 July 1953, Subject:
Interpretation of 

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